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**MEMO ENDORSED**

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December 9, 2021

Hon. Valerie E. Caproni  
United States District Judge  
Southern District of New York  
United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *United States v. Del Villar*,  
20-CR-295-1 (VEC)

Dear Judge Caproni:

Today, I filed a notice of appearance on behalf of bail sureties Kimberly Aguilar and Geovanni Aguilar, who are siblings (Docs 151 & 152). I am writing the Court to respectfully request that the Order to Show Cause, presently returnable December 14, 2021 (*see* scheduling order, Doc. 148), be adjourned for approximately one month. My partner spoke earlier today with AUSA Brett Kalikow regarding my representation of the sureties and the requested adjournment. The government indicated it would consider our request but, given the lateness of the hour, we thought it appropriate to alert the Court to our request. We also request that Kimberly and Geovanni -- both of whom live in California -- be permitted to attend the next court session remotely.

We seek the requested adjournment for several reasons. First, Ms. Aguilar, although 25-years old, has [REDACTED]. She has follow up appointments on December 13, 15 and 17. These conditions were recently diagnosed and coincide with her learning that Mr. Del Villar absconded. Making matters worse, [REDACTED].<sup>1</sup>

A second reason we seek an adjournment and a remote proceeding is

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<sup>1</sup> I respectfully request permission to redact the portion of this letter addressing Ms. Aguilar's medical history and will forward an unredacted copy to the government and to chambers.

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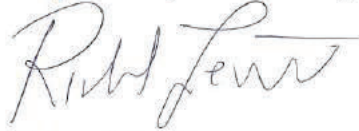
that Ms. Aguilar has three children under the age of four and is doing all she can to maintain her health, care for her children, and address the Court's Order.

Third, because we were just retained, we require time to consult with both clients, fully review the record, including the warnings our clients were given when they agreed to become sureties, and prepare an appropriate response to the Court's show cause order. However, I will be out of the office until December 16 and unable to address these issues.

Finally, both Kimberly and Geovanni (who is 20 years old) are unemployed and [REDACTED] making travel expensive and dangerous.

For all these reasons, I respectfully request that the Court adjourn the December 14, 2021, hearing approximately one month and permit Kimberly and Geovanni to appear remotely.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Richard Levitt".

Richard Levitt  
*Attorney for Kimberly Aguilar and  
Geovanni Aguilar*

cc: AUSA Brett Kalikow (via ECF and email)

Application GRANTED. The hearing currently scheduled for December 14, 2021, at 1:00 p.m. will proceed with Mr. Rodolfo Torres, but as to Ms. Aguilar and Mr. Aguilar, it is hereby ADJOURNED until **January 11, 2022, at 1:00 p.m.** in **Courtroom 443**, Thurgood Marshall U.S. Courthouse, 40 Foley Square, New York, NY 10007. Ms. Aguilar and Mr. Aguilar may appear remotely via phone by dialing-in to (888) 363-4749 // Access code: 3121171# // Security code: 0295#.

By no later than Monday, December 13, 2021, the Government shall serve a copy of this Order on the Clerk of Court, who is the authorized agent for service under Federal Rule of Criminal Procedure 46(f)(3)(B).

The Clerk of Court is respectfully directed to serve a copy of this Order on Ms. Aguilar and Mr. Aguilar at their last known addresses, as required under Rule 46(f)(3)(C). The Clerk is further directed to note the mailing on the docket.

SO ORDERED.

 12/10/21

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE